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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., et al.,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that, pursuant to Section 1109(b) of Title 11 of the United States Code, 11 U.S.C. §§ 101, et seq. (the “Bankruptcy Code”) and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Marshall Conway Bradley Gollub & Weissman, P.C. hereby enters its appearance on behalf of Caparra Center Associates LLC and requests that all notices given or required to be given and all papers served in this case be delivered to and served upon the party identified below at the following address:

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 04889. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 cases is 640 Liberty Avenue, Union, New Jersey 07083.

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PLEASE TAKE FURTHER NOTICE that pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing demand not only includes notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all notices, orders, pleadings, motions, applications, complaints, demands, hearings, request, answers, replies, memoranda and briefs in support of any of the above, whether formal or informal, transmitted or conveyed by electronic delivery, mail delivery, telephone, facsimile or otherwise, in this case.

PLEASE TAKE FURTHER NOTICE that this notice of appearance, and any subsequent appearance, pleading, claim, or suit, is not intended, nor shall be deemed, to waive Caparra Center Associates LLC's: (i) right to contest the subject matter or personal jurisdiction of this Court; (ii) right to seek abstention or withdrawal of any matter arising in this proceeding; (iii) right to have final orders in non-core matters entered only after de novo review by a United States District Court Judge; (iv) right to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (v) right to have the reference withdrawn by a United States District Court Judge in any matter subject to mandatory or discretionary withdrawal; (vi) right to enforce any contractual provisions with respect to arbitration; or (vii) other rights, claims, actions,

defenses, setoffs or recoupments to which Caparra Center Associates LLC is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

PLEASE TAKE FURTHER NOTICE that this appearance is a limited appearance for purposes of notice only. Accordingly, this Notice of Appearance is not to be construed as a waiver of any rights, including, without limitation, the right to contest jurisdiction or service of process or to demand trial by jury of any issue.

Dated: June 15, 2023

s/ James W. McCartney
James W. McCartney, Esq.
(N.J.D.C. No. JM-4571)
(NJ Bar ID # 046801990)
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